



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO/TITLE
09/282,860	03/31/99	BREZIN	J Y0999-121

*KMJ* 0242/0428

IBM CORPORATION  
INTELLECTUAL PROPERTY LAW DEPT  
PO BOX 218  
YORKTOWN HEIGHTS NY 10598

NOT ASSIGNED

2771

DATE MAILED:

04/28/99

### NOTICE TO FILE MISSING PARTS OF APPLICATION

*Filing Date Granted* Due 6/28/99

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of  \$65.00 for a small entity in compliance with 37 CFR 1.27, or  \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
 small entity (statement filed)  non-small entity is \$ 130.

1. The statutory basic filing fee is:

missing.  
 insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status. (37 CFR 1.27).

2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

is missing or unsigned.  
 does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

9. OTHER: \_\_\_\_\_

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

*J. McWayne* A copy of this notice **MUST** be returned with the reply.

SECTOR/4



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Jonathan P. Brezin, et al.

Date: May 6, 1999

Serial No. 09/282,860

Group Art Unit: 2771

Filed: March 31, 1999

Docket: Y0999-121

Title: **OPTIMIZATION OF SYSTEM PERFORMANCE BASED ON  
COMMUNICATION RELATIONSHIP**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)**

I hereby certify that the attached correspondence comprising:

Notice to File Missing Parts  
Deposit Account Authorization Form  
Recordation Form  
Assignment to IBM  
Declaration and Power of Attorney  
Return Postcard

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

on May 6, 1999

Kathy Cognatello

(Type or Print name of person mailing paper)

Kathy Cognatello

(signature of person mailing paper)

05/12/1999 TTIBAN1 0000004 0908 09282860  
Sale Ref: 00000028 DA#: 090468 09282860  
01 FC:105 130.00 CH



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Jonathan P. Brezin, et al.

Date: May 6, 1999

Serial No. 09/282,860

Group Art Unit: 2771

Filed: March 31, 1999

Docket: YO999-121

Title: **OPTIMIZATION OF SYSTEM PERFORMANCE BASED ON  
COMMUNICATION RELATIONSHIP**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**DEPOSIT ACCOUNT AUTHORIZATION FORM**

Sir:

In response to the Notice to File Missing Parts of Application dated April 28, 1999, this is authorization to charge the fee of \$130.00 for filing the Declaration and Power of Attorney for the above-subject patent application to Deposit Account No. 09-0468, including any readjustment thereof.

Respectfully submitted,

  
\_\_\_\_\_  
Kevin M. Jordan  
Reg. No. 40,277  
Tel. No. (914) 945-2120

IBM Corporation  
Intellectual Property Law Dept.  
P.O. Box 218  
Yorktown Heights, New York 10598  
Fax: (914) 945-3281